

Appl. No. 10/073,764
Reply to Office Action Dated March 23, 2006

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REMARKS

With the foregoing amendment claims 1, 2, 4-12, 14, 17, and 25-27 are pending in the application. Claims 1, 10 and 25 are the sole independent claims. No new matter has been added by the amendments. Applicants respectfully request reconsideration of the present application.

Rejections under 35 U.S.C. § 112

Applicant thanks the examiner for pointing out the typographical errors. Applicant respectfully submits that the rejections under 112 are now moot in view of this amendment.

Rejection of Independent Claims 1 and 10

Claims 1 and 10 stand rejected under 35 U.S.C. § 102 as being anticipated by Steinberg (US 6,433,818). Applicant respectfully disagrees.

Independent Claim 1

Independent claim 1 is not anticipated by Steinberg because Steinberg does not disclose all of the features of claim 1. For example, at the least, Steinberg does not disclose an image capturing device comprising "a processor configured to communicate ... with said wireless receiver, ... [and] to disable said image capturing device for image capturing device operation in response to said wireless receiver receiving [a] wirelessly transmitted disable command," as is required by claim 1, as amended.

Steinberg discloses a camera that comprises a processor and a wireless receiver. According to Steinberg, the "camera 10, including the [wireless] receiver 30 (FIG. 2), will not operate if [a] signal from [a] transmitter 28 is not received [by the wireless receiver]." *Col. 4, lines 55-57 (emphasis added)*. In other words, Steinberg discloses a camera that must be within range of a transmitter in order to operate. Thus, if the camera is within range of the transmitter the camera can function, but if the camera is out of the range of the transmitter then the camera will not function. Therefore, the transmitter disclosed in Steinberg functions to enable the camera, not disable the camera. This feature of Steinberg

Appl. No. 10/073,764
Reply to Office Action Dated March 23, 2006

enables the operator of the camera to use the camera only within a perimeter defined by the range of the transmitter.

According to Steinberg, "a typical application would be a factory In the 'factory' example, the transmitter would be centrally located and designed to radiate a signal that would not extend substantially beyond the factory perimeter. The camera 10, including the receiver 30 (FIG. 2), will not operate if the signal from the transmitter 28 is not received." Col. 4, lines 45-57 (*emphasis added*).

Claim 1, on the other hand, discloses a camera that will not operate if the camera receives a disable command from a wireless transmitter. That is, the transmitter recited in claim 1 functions to disable the camera. This feature will prevent the operator of the camera from using the camera if the camera is within range of a transmitter that transmits a disable command. This feature provides the ability to disable an image capturing device at a specific setting or location (e.g., a museum or other sensitive facility where picture taking is not allowed). Thus, this feature is the complete opposite of the feature disclosed in Steinberg. Accordingly, Steinberg does not disclose "a processor configured to communicate ... with said wireless receiver, ... [and] to disable said image capturing device for image capturing device operation in response to said wireless receiver receiving [a] wirelessly transmitted disable command," as is required by claim 1, as amended, because Steinberg simply does not disclose receiving a wirelessly transmitted disable command. Thus, Steinberg does not anticipate claim 1. Applicant, therefore, respectfully requests that the rejection of claim 1 (and claims 2 and 4-9, which depend from claim 1) be withdrawn.

Independent Claim 10

The above remarks for claim 1 apply to claim 10 because, like claim 1, claim 10 requires "wirelessly receiving at the image capturing device a disable command transmitted from wireless transmitter; [and] changing the state of an enable state variable from an enable state to a disable state in response to receiving said disable command."

New Claims

*Appl. No. 10/073,764
Reply to Office Action Dated March 23, 2006*

New claims 25-27 are sought to be added. Claim 25 is somewhat similar to original claim 7. Claim 25 is patentable over the art of record because the art does not disclose "a second storage device storing an image capturing device identifier, wherein said second storage device comprises a removable memory;" nor "a processor configured to (a) communicate with said first and second storage devices, (b) determine whether said image capturing device identifier stored in said second storage device matches said image capturing device identifier that corresponds to said image capturing device, and (c) set a state of the enable state variable to an enable state in response to determining that said image capturing device identifier stored in said second storage device matches said image capturing device identifier that corresponds to said image capturing device," as is required by claim 25.

In rejecting original claim 7, the Office contends that Steinberg "discloses storing an image capturing device identifier." In support of its contention, the Office cites to Steinberg col. 3, lines 40-48. For the convenience of the Office, this portion of Steinberg is reproduced below.

The antenna 18 is for reception of modulated signals, such as radio frequency or infrared, radiated from an antenna 26 of a transmitter 28, the modulation containing an operation code to begin operation of the camera 10, and a renewal code for continuing the camera operation. In one embodiment, the operational code and renewal code are the same. The details of the various embodiments will be fully described in the following specification in reference to the figures of the drawing.

As is clear from the above excerpt from Steinberg, Steinberg discloses nothing more than a wirelessly transmitted signal that includes a "renewal code." Thus, Steinberg does not disclose an image capturing device identifier because there is nothing in Steinberg to suggest that the "renewal code" is, or includes, an image capturing device identifier. Moreover, claim 1 requires that the image capturing device identifier be stored in a removable memory. Thus, even if we assume for the sake of argument that the renewal code is, or includes, an image capturing device identifier (it does not), Steinberg would still not anticipate because Steinberg does not disclose that the renewal code is stored in a removable memory.

*Appl. No. 10/073,764
Reply to Office Action Dated March 23, 2006*


Furthermore, even if we assume for the sake of argument that the renewal code is stored in a removable memory, Steinberg would still not anticipate because Steinberg does not disclose that the processor determines whether the renewal code "matches said image capturing device identifier that corresponds to said image capturing device," as is also required by claim 25.

For at least the above reasons, claims 25 and claims 26-27, which depend from claim 25, are patentable over the art of record.

CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections, and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

RESPECTFULLY SUBMITTED,					
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